

CERTIFICATE OF TRANSMISSION

I hereby certify that this Amendment is being deposited with the United States Patent and Trademark Office on this 6th day of October, 2006 by EFS.

Signed: _____

Christopher H. Hunter

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	:	10/669,118
Applicant	:	Steven R. Knight
Filed	:	September 23, 2003
Title	:	Filter Element with Vent Orifice and Assembly Therefore
TC/A.U.	:	1723
Examiner	:	Benjamin M. Kurtz
Confirmation No.	:	9506

Commissioner of Patent and Trademarks
P. O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO ADVISORY ACTION

Dear Sir:

The Advisory Action of September 12, 2006 indicated that Applicant's Amendment After Final of August 15, 2006 would not be entered because it allegedly "raised the issue of new matter", in that the claims were amended to describe the orientation device "permanently fixed" to the first end cap, and that this limitation did not appear in the original disclosure.

Applicant respectfully disagrees that this limitation did not reasonably exist in the original disclosure, and points out that on page 9, lines 3-8 the following is stated:

“An orientation device 84 is fixed to and integral with the first end cap and projects radially outward therefrom. Preferably the orientation device on the end cap comprises a rib, tab, ridge or other radially outward projecting element **fixed** to the outer sleeve 70 of the end cap. The orientation device 84 is **preferably formed unitary (in one piece)** with the first end cap, but it could also be formed as a separate piece and then attached to the end cap in an appropriate manner.”

In addition, on page 9, lines 22 and 23 the following is stated:

“End caps 64, 86 are formed of appropriate impervious material for the particular application, such as plastic, using conventional techniques, such as **molding**.”

(emphasis added)

And in the drawings, particularly Figure 4, it is clear that the orientation device, e.g., tab 84, is illustrated as being unitary (in one piece) with the first end cap.

It is believed abundantly clear from the disclosure of the invention that if the orientation device was formed, for example during the molding process, in one piece/unitary with the end cap, then such orientation device would be “permanently fixed” to the end cap. While the orientation device does not necessarily have to be unitary with the end cap in order to be “permanently fixed”, it is believed the claim term “permanently fixed” is adequately supported by this description. Moreover, there is nothing in the specification which describes or even implies that the orientation device is not otherwise permanently attached to the end cap. While it is acknowledged that the term “permanent” does not appear verbatim in the specification, it is believed that this concept is more than reasonably suggested by the description of the invention and the drawings.

The undersigned therefore believes that the Amendment After Final submitted August 15, 2006 clearly puts the claims in this case in condition for allowance, and respectfully requests that the Amendment be entered in this application.

Again, the undersigned would be pleased to discuss this or other terminology with the Examiner should the Examiner believe it would result in a furtherance of this matter.

Otherwise, Applicant respectfully requests the prior Amendment be entered to place the claims clearly in condition for allowance, or alternatively to place the claims in better condition for appeal.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'CH', is positioned above a horizontal line.

Christopher H. Hunter, Reg. 34,187

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